

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation)	
)	ORDER OF
or Suspension of the Educator)	
)	SUMMARY SUSPENSION
Certificate of Tawana L Horton,)	
)	
Certificate 236691)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on April 9, 2008. In accordance with S.C. Code Ann. § 59-25-160 (2004), the South Carolina State Department of Education (Department) requested that the State Board summarily suspend the educator certificate of Tawana L. Horton, certificate 236691, as a result of her arrest on March 19, 2008, for allegedly disturbing school. The Department has reason to believe that, due to the nature of the allegations of misconduct against Ms. Horton, she may pose a threat to the health, safety, or welfare of students that may be under her instruction. After considering the evidence presented by the Department, the State Board voted to summarily suspend Ms. Horton's certificate until a due process hearing is held and/or this matter is otherwise resolved. The Department is directed to serve notice on Ms. Horton of the summary suspension, as well as the possible suspension or revocation of her educator certificate.

FINDINGS OF FACT

Ms. Horton has one year of teaching experience. Ms. Horton is still employed at St. Andrews Middle School in Richland County School District One, but is currently on administrative leave. On March 14, 2008, Ms. Horton and Ms. Pinckney allegedly got into a physical altercation in the hallway of St. Andrews Middle School, after the teachers "bumped into each other," according to the Richland County Sheriff's Department. The resource officer stated that "an ongoing personal dispute"

can be blamed for the reason the teachers were fighting. Mrs. Horton was arrested on March 19, 2008, and charged with S.C. Code Ann. § 16-17-420 (2003) and (Supp. 2007), Disturbing schools.

CONCLUSIONS OF LAW

"The South Carolina Board of Education may, for just cause, either revoke or suspend the certificate of any person." S.C. Code Ann. § 59-25-150 (2004). Just cause includes unprofessional conduct, immorality, crime against the law of this State or the United States and evident unfitness for position for which employed. S.C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Ann. Regs. 43-58 (1992). In accordance with S.C. Code Ann. § 1-23-370(c) (2004), "If the agency finds that public health, safety or welfare imperatively requires emergency action, and incorporates a finding to that effect in its order, summary suspension of a license may be ordered pending proceedings for revocation or other action." The State Board finds that there is reason to believe that Ms. Horton may pose a threat to the welfare of students that may be under her instruction. Accordingly, the State Board summarily suspends Ms. Horton's educator certificate until a due process hearing is held and/or this matter is otherwise resolved.

AND IT IS SO ORDERED.

South Carolina State Board of Education

By: 

Al Simpson, Chair

Columbia, South Carolina
April 9, 2008